

F.C.A §§ 430, 550, 655, 828, 1029

ORI No: NY013023J

Order No: 2006-001829

NYSID No: _____

At a term of the Family Court of the State of New York,
held in and for the County of Dutchess, at Courthouse 50
Market St., Poughkeepsie, NY 12601-3204, on December
14, 2006

PRESENT: Honorable Damian J. Amodeo

In the Matter of a FAMILY OFFENSE Proceeding

File # 42142

Docket# O-06129-06

Elizabeth A Ledkovsky (DOB: 06/19/1968),
Petitioner,

- against -

Dmitri Plotnikov (DOB: 05/08/1965),
Respondent.

Temporary Order Of Protection

Ex Parte

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION, WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CRIMINAL CONTEMPT, AND/OR MAY SUBJECT YOU TO FAMILY COURT PROSECUTION AND INCARCERATION FOR UP TO SIX MONTHS FOR CONTEMPT OF COURT. IF YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND CONTINUE IN EFFECT UNTIL YOU APPEAR IN COURT.

A petition under Article 8 of the Family Court Act, having been filed on December 14, 2006 in this Court and good cause having been shown,

Now, therefore, it is hereby ordered that Dmitri Plotnikov (DOB: 05/08/1965) observe the following conditions of behavior:

[01] Stay away from:

- [A] Elizabeth A Ledkovsky (DOB: 06/19/1968), Magdalena Ledkovsky-Plotnikov (DOB: 01/05/2005) and Sebastian Ledkovsky-Plotnikov (DOB: 06/28/2003) -At least 1,000 feet;
- [B] the home of Elizabeth A Ledkovsky (DOB: 06/19/1968), Magdalena Ledkovsky-Plotnikov (DOB: 01/05/2005) and Sebastian Ledkovsky-Plotnikov (DOB: 06/28/2003) -At least 1,000 feet;
- [C] the school of Elizabeth A Ledkovsky (DOB: 06/19/1968), Magdalena Ledkovsky-Plotnikov (DOB: 01/05/2005) and Sebastian Ledkovsky-Plotnikov (DOB: 06/28/2003) -At least 1,000 feet;
- [D] the business of Elizabeth A Ledkovsky (DOB: 06/19/1968) -At least 1,000 feet;
- [E] the place of employment of Elizabeth A Ledkovsky (DOB: 06/19/1968) -At least 1,000 feet;

- [14] Refrain from communication or any other contact by mail, telephone, e-mail, voice-mail or other means with Elizabeth A Ledkovsky (DOB: 06/19/1968), Magdalena Ledkovsky-Plotnikov (DOB: 01/05/2005) and Sebastian Ledkovsky-Plotnikov (DOB: 06/28/2003);
- [02] Refrain from assault, stalking, harassment, menacing, reckless endangerment, disorderly conduct, intimidation, threats or any criminal offense against Elizabeth A Ledkovsky (DOB: 06/19/1968), Magdalena Ledkovsky-Plotnikov (DOB: 01/05/2005) and Sebastian Ledkovsky-Plotnikov (DOB: 06/28/2003);
- [07] Temporary Custody of Magdalena Ledkovsky-Plotnikov (DOB: 01/05/2005) and Sebastian Ledkovsky-Plotnikov (DOB: 06/28/2003) shall be awarded to Elizabeth A Ledkovsky (DOB: 06/19/1968) under the following terms and conditions: Respondent shall have no contact with the above-named child(ren) until further order of this court;

It is further ordered that this Temporary Order Of Protection shall remain in effect up to and including June 14, 2007;

The Family Court Act provides that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her special duties shall authorize, and in some situations may require, such officer to arrest a person who is alleged to have violated its terms and to bring him or her before the court to face whatever penalties may be imposed therefor.


Federal law provides that this order must be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if it is established that the person against whom the order is sought has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 U.S.C. §§2265, 2266).

It is a federal offense to: cross state lines to violate an order of protection; cross state lines to engage in stalking, harassment or domestic violence against an intimate partner or family member; possess, purchase, ship, transfer or receive a handgun, rifle, shotgun, or other firearm or ammunition following a conviction of a domestic violence misdemeanor involving the use or attempted use of physical force or a deadly weapon; or (except for military or law enforcement officers while on duty) possess, purchase, ship, transfer or receive a handgun, rifle, shotgun or other firearm or ammunition while an order of protection, issued after notice and an opportunity to be heard, that protects an intimate partner against assault, harassment, threatening and/or stalking, remains in effect (18 U.S.C. §§922(g)(8), 922(g)(9), 2261, 2261A, 2262).

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE LAW GUARDIAN UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Dated: December 14, 2006

ENTER



Honorable Raulian J. Amodeo

Check applicable box:

- ☐ Personal service executed [specify date(s)]: _____
- ☐ Order mailed on [specify date(s) and to whom mailed]: _____
- ☐ Order received in court on [specify date(s) and to whom given]: _____
- ☐ Warrant issued for Respondent [specify date]: _____

NOTICE OF ENTRY
PLEASE TAKE NOTICE that the
within is a true copy of an
order entered in the office
of the clerk of the Family
Court of the State of New
York in the County of
Dutchess on


PETER A. PALLADINO

In the Matter of a Family Offense Proceeding

File #: 42142

Docket #: O-06129-06

Elizabeth A Ledkovsky,

Petitioner,

SUMMONS

- against -

Dmitri Plotnikov,

Respondent.

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK:

To: Dmitri Plotnikov
Gertrud Kolmar Street
Berlin
Germany


A petition under Article 8 of the Family Court Act having been filed with this Court, and annexed hereto

YOU ARE HEREBY SUMMONED to appear before this court on

Date/Time: January 22, 2007 at 9:15 AM
Purpose: Respondent Appearance
Part: 1
Room: 367
Presiding: Hon. Damian J. Amodeo
Location: Courthouse
50 Market St.
Poughkeepsie, NY 12601-3204
(845) 486-2500

to answer the petition and to be dealt with in accordance with the Family Court Act.

On your failure to appear as herein directed, a warrant may be issued for your arrest.

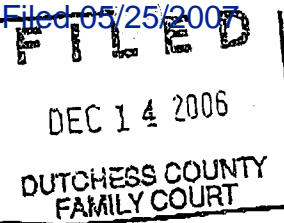
 PETER A. PALLADINO

Dated: December 14, 2006

Peter A. Palladino, Clerk of Court

NOTICE: Family Court §154(c) provides that petitions brought pursuant to Article 4, 5, 6, 8 and 10 of the Family Court Act, in which an order of protection is sought or in which a violation of an order of protection is alleged, may be served outside the State of New York upon a Respondent who is not a resident or domiciliary of the State of New York. If no other grounds for obtaining personal jurisdiction over the Respondent exist aside from the application of this provision, the exercise of personal jurisdiction over the respondent is limited to the issue of the request for, or alleged violation of, the order of protection. Where the Respondent has been served with this summons and petition does not appear, the Family Court may proceed to a hearing with respect to issuance or enforcement of the order of protection.

F.C.A. §§ 8:2, 818, 821

**FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS**

8-2 11/1999

In the Matter of a **Family Offense** Proceeding

File #: 42142

Docket #: O-06129-06

Elizabeth A Ledkovsky,
and o/b/o Sebastian Ledkovsky-Plotnikov, Magdalena
Ledkovsky-Plotnikov

**FAMILY OFFENSE
PETITION**

Petitioner,

- against -

Dmitri Plotnikov,

Respondent.

The undersigned Petitioner respectfully shows that:

Petitioner, Elizabeth A Ledkovsky, resides at 40 Audobon Trail, Salt Point, NY 12578.
Petitioner has a child-in-common with and is the spouse of respondent, Dmitri Plotnikov.

Respondent, Dmitri Plotnikov, resides at Gertrud Kolmar Street, Berlin, Germany.

On or about December 8, 2006 about 9 p.m. , at Petitioner's residence, the Respondent committed an act or acts which constitute disorderly conduct and harassment in the second degree toward Magdalena Ledkovsky-Plotnikov, who is the child of said Respondent, Sebastian Ledkovsky-Plotnikov, who is the child of said Respondent, and Elizabeth A Ledkovsky, who has a child-in-common with and is the spouse of said Respondent, in that the Respondent:

did call Petitioner, initiating a verbal argument over support and custody upon Petitioner's death, yelling and screaming, using profane and degrading language toward her, demanding he receive custody of children when she dies, and threatening bodily harm toward Petitioner, then later sending Petitioner an intimidating e-mail. The Respondent just arrived from Germany on 12/11/2006, convincing Petitioner to allow him to stay in her residence to spend time with children, then engaging in arguments for the next two days, demanding German laws apply to custody and threatening to fight to the death. Then on 12/13/2006, the Respondent attempted to flee with children, but failed and fled on foot, causing children emotional distress and for Petitioner to call her lawyer, who referred Petitioner to family court. The Respondent is physically and verbally abusive toward Petitioner often in front of children, threatening retaliation and his aggressive and erratic behavior is on-going and escalating. The Petitioner fears for her and children's safety. .

The following are the names, ages and relationships to the Petitioner and/or Respondent of each and every child in the family household:

<u>Name</u>	<u>Date of Birth</u>	<u>Relationship to Petitioner/Respondent</u>
Magdalena Ledkovsky-Plotnikov	1/5/2005	is the child of Respondent is the child of Petitioner
Sebastian Ledkovsky-Plotnikov	6/28/2003	is the child of Respondent is the child of Petitioner

The following criminal, matrimonial or Family Court proceeding(s) involving the Respondent has been filed: THE PARTIES ARE DISCUSSING DIVORCE. .

No previous application has been made to any court or judge for the relief herein requested.

Respondent is in possession of the following licensed and unlicensed firearms: UNKNOWN; THE RESPONDENT IS TRAINED IN MILITARY RIFLE USAGE; .

There is a substantial risk that the Respondent may use or threaten to use a firearm unlawfully against Petitioner and/or members of the Petitioner's family or household for the following reasons:

The following facts and circumstances create a substantial risk that Respondent may use or threaten to use a firearm unlawfully against Petitioner or members of Petitioner's family or household: THE RESPONDENT HAS A HISTORY OF ABUSING ALCOHOL, INTIMIDATING AND THREATENING PETITIONER AND HIS AGGRESSIVE AND ERRATIC BEHAVIOR IS ON-GOING AND ESCALATING.

ABOUT MAY/2006, THE RESPONDENT DURING A PHYSICAL ATTACK TOWARD PETITIONER, SHOVED CONTENTS OF CHILD, SEBASTIAN'S URINE SOAKED DIAPER INTO PETITIONER'S MOUTH, IN FRONT OF CHILD, SEBASTIAN, CAUSING CHILD EMOTIONAL DISTRESS. .

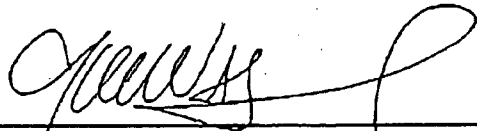
WHEREFORE, Petitioner prays

(a) that the Respondent be adjudged to have committed the family offense(s) alleged;

(b) that the Court enter an order of protection, specifying conditions of behavior to be observed by the Respondent in accordance with Section 842 of the Family Court Act and to include the following specific conditions: The Petitioner requests that the Respondent be ordered to stay away from Petitioner and children; residence; schools; place of employment; daycare facilities; that the Petitioner be immediately granted Sole Custody; that the Respondent not contact/communicate with Petitioner and children by any means; that the Respondent not be granted visitation pending further order of this court; that the Respondent be immediately ordered to provide child support in the amount of \$900 monthly to petitioner in form of money order; that the Respondent be immediately ordered to attend an Anger Management Program; .

and for such other and further relief as to the Court seems just and proper.

Dated: December 14, 2006



Elizabeth A Ledkovsky, Petitioner

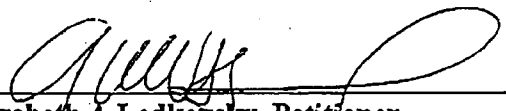
VERIFICATION

STATE OF NEW YORK)

:ss:

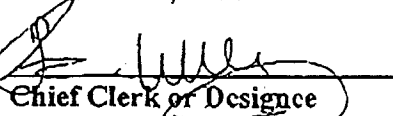
COUNTY OF DUTCHESS)

Elizabeth A Ledkovsky being duly sworn, says that he/she is the Petitioner in the above-named proceeding and that the foregoing petition is true to his/her own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters he/she believes it to be true.



Elizabeth A Ledkovsky, Petitioner

Sworn to before me on
December 14, 2006



Chief Clerk or Designee
Notary Public

cc

RTR

JFK

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

-----X
In the Matter of a Custody/Visitation Proceeding

ELIZABETH A. LEDKOVSKY,
Petitioner,

-against-

DMITRI PLOTNIKOV,
Respondent.

FF # 42142
DOCKET # V-06/26-06
V-06/27-06
ORDER TO SHOW
CAUSE

-----X
TO: DMITRI PLOTNIKOV
Gertrud Kolmar Str,
Berlin, Germany, 10117

Upon the petition of Elizabeth A. Ledkovsky, annexed hereto, it is

ORDERED that DMITRI PLOTNIKOV show cause before this Court on

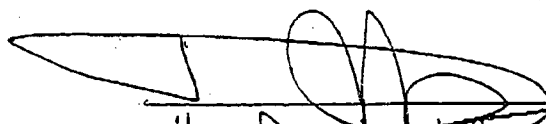
Date/Time: January 22, 2007 at 9:15 Am
Part: _____
Floor/Room: 307
Presiding: Hon. Damian J. Amodeo
Location: Dutchess County Family Court
50 Market Street
Poughkeepsie, New York 12601

or as soon thereafter as the parties can be heard, why an order should not be made granting custody of the minor children of the parties to ELIZABETH A. LEDKOVSKY, and why such other and further relief should not be granted as the Court may determine, and it is further

ORDERED that temporary custody of Sebastian Ledkovsky-Plotnikov (06-28-2003) and Magdalena Ledkovsky-Plotnikov (01-05-2005) be awarded to ELIZABETH A. LEDKOVSKY petitioner, pending further order of this Court; and it is further

ORDERED that pending further Order of the Court that the children shall not be removed from the jurisdiction of the Court; and it is further
ORDERED that New York State is the habitual residence of the children; and it is further
ORDERED that service, by personal service, upon Respondent of a copy of this order together with the papers upon which it is granted on or before JANUARY 13, 2006, shall be deemed good and sufficient service.

December 14, 2006
Poughkeepsie, NY


Hon. Damian J. Amodeo, FCT

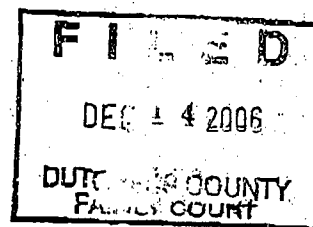
plu
12/14/06
cc

RTR

**FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS**

In the Matter of a Proceeding under
Article 6 of the Family Court Act
Elizabeth A. Ledkovsky

**PETITION FOR
CUSTODY**



Petitioner,

- against -

Docket #:

Fu# 42142

Dmitri Plotnikov

Respondent.

*V-06126-06
V-06127-06*

TO THE FAMILY COURT:

The undersigned Elizabeth A. Ledkovsky respectfully shows that:

1. Elizabeth A. Ledkovsky is the Petitioner and resides at
40 Audubon Trail
Salt Point, NY 12578.
2. Dmitri Plotnikov resides at
Gertrud Kolmar Str.
Berlin, Germany 10117.
3. Petitioner is the Mother of the subject children.
4. The proceeding is commenced pursuant to sections(s) Art. 6 of the Family Court Act.
5. The name, age and date of birth of each child affected by this proceeding are as follows:

Sebastian Ledkovsky-Plotnikov	3.5;	June 28, 2003
Magdalena Ledkovsky-Plotnikov	2;	January 5, 2005

6. Petitioner was married to the Respondent at New York, New York County, New York State and on May 20, 2001.
7. The parties are still legally married.

Jonathan D. Katz
153 Main Street
New Paltz, New York 12561

8. Upon information and belief Petitioner obtained custody of the children on May of 2006, as follows:
The family had been living in Germany. In May of 2006, after being assaulted by my husband, I left Germany, with the children, and returned to New York.

9. It would be in the best interest of the children to have custody awarded to the Petitioner for the following reasons:
I have always been the primary caretaker of our children. I am an American, as are the children. My husband is a Russian who obtained US citizenship through a short term marriage to his first wife. He has expressed his intention to reside in Germany. My husband has become increasingly abusive to me. His abuse has been witnessed by our children, especially our son who has verbalized his concerns. For instance, our son witnessed his father attempting to force a urine soaked diaper down my throat in May of 2006. That assault resulted in me leaving my husband and returning to the United States. He came to visit the children on December 11, 2006. On December 13, 2006, the day before the filing of this petition, my husband fled our front yard because he feared being served with a divorce action. He literally left our children standing in the yard watching as he sprinted into the woods adjoining my home to avoid service. In fact, he was not going to be served at that time. I have not heard from him since and I want an order of custody to prevent him from attempting to take the children should he get the chance, such as by removing them from day care. The day care staff has told me that without an order that they would not prevent my husband from taking them.

The reason that my husband fled before being served with the divorce action was because he does not wish to pay child support in accordance with the CSSA guidelines. His concerns about money completely overwhelm whatever concerns he has for the children's welfare. The children saw him flee into the woods leaving them upset about his welfare and wondering when they were going to see him again—they had not seen him since August of 2006.

I do not know what my Husband's plans are, but I do know that his behavior has become increasingly violent and now erratic as shown by him fleeing into the woods in front of the children.

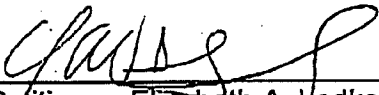
10. ~~No previous application has been made to any Court or Judge for the relief~~ herein requested except:
A divorce action under index number 2006/7129 was filed on December 12, 2006, but it has not been served. This action has been discontinued as shown by the attached Notice of Discontinuance.

11. Given the fact that my husband has fled to avoid service of the divorce action and given the fact that he lives in Germany, I would like the court to allow an

extended period of time to allow me to serve him in Germany in the event that he cannot be served before he leaves the country.

WHEREFORE, the undersigned respectfully prays for an order awarding custody of the children named herein to the Petitioner and for such other relief as to the Court may seem just and proper.

Dated: December 14, 2006

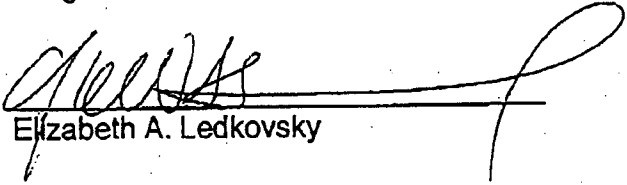

Petitioner, Elizabeth A. Ledkovsky

STATE OF NEW YORK)

ss.:

COUNTY OF ULSTER)

Elizabeth A. Ledkovsky being duly sworn, says that person is the Petitioner in the above-entitled proceeding and that the foregoing petition is true to own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters believes it to be true.


Elizabeth A. Ledkovsky

Sworn to before me this 14th day
of ~~December, 2006~~


Notary Public

JONATHAN D. KATZ
Notary Public, State of New York
Qualified in Ulster County
Comm #4919472
Commission Expires January 19, 2010